

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, July 16, 2008 at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present: Councilmember Howard Shook, Chair Ray Zies, Acting CFO
 Councilmember Felicia A. Moore Departmental Staff
 Councilmember Kwanza Hall
 Councilmember Clair Muller
 Councilmember Jim Maddox
 Councilmember Cleta Winslow

Chairperson Shook called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, Kwanza Hall, Clair Muller, Jim Maddox and Cleta Winslow. Other Departmental staff was present as well. The Agenda was adopted as printed with one new First Read Ordinance and one new Resolution.

CONSENT AGENDA

TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

08-O-1429 (1) An Ordinance by Finance and Executive Committee to authorize the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, to authorize the Chief Financial Officer to remit payment for all outstanding invoices through August 1, 2008 to CA Inc., in an amount not to exceed \$433,259.00 for Main Frame Operations Management, Desktop Management, Network Management, and Information Security Software Licenses, Support and Maintenance to be charged to and Paid from FDOA Number 1001 (General Fund) 050211 (IT Network Management) 5424004 (Software (\$5,000+)) 153500 (Data Processing/Management Information System); to authorize the Mayor to execute Appropriate Contractual Agreements with CA Inc. for Main Frame Operations Management, Desktop Management, Network Management, and Information Security Software Licenses, Support and Maintenance, on behalf of the Department of Information Technology, in an Annual Amount not to exceed \$126,109.37, to be charged to and paid from FDOA Number 1001 (General Fund) 050211 (IT Network Management) 5424004 (Software (\$5,000+)) 153500 (Data Processing/ Management Information System); and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO NEGOTIATE FOR AND PURCHASE APPROXIMATELY .09 ACRES

08-O-1430 (2) An Ordinance by Finance and Executive Committee authorizing the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and purchase approximately .09 acres, located at 156 Walnut Street ("The Vine City Park 156 Walnut Street Property") from the Conservation Fund (TCF) in an amount not to exceed sixty thousand dollars (\$60,000.00), for the purpose of expanding the existing Vine City Park. The City's purchase price, due diligence, purchase services and development costs shall be coded to Oracle String PTAE0 (PNG Project: 10202670), (PNG Task101), PNG

Award: 270221062), (Expenditure: 5413004), (ORG: COA), General Ledger (Fund: 2702), (Department: 100101), (Account: 5413004), (FUNCACT: 1320000), (Project: 202670), (FD SRC: 21062), (INTER: 0000), Westside TAD Fund/Construction in Progress/Westside TAD 2005, which account has been funded from the Westside TAD Neighborhood Fund Allocation approved by the Atlanta Development Authority ("ADA"); approving conforming changes to the Intergovernmental Agreement by and between the City and ADA relating to the Vine City Park of which the Vine City Park 156 Walnut Street Property will form a Part; and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO NEGOTIATE FOR AND PURCHASE APPROXIMATELY 0.869 ACRES OF PROPERTY

08-O-1431 (3) An Ordinance by Finance and Executive Committee authorizing the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and purchase approximately 0.869 acres of property at 1043 Hank Aaron Drive ("The Atlanta Temple Church Property") from the Trust For Public Land ("TPL"), in an amount not to exceed one million dollars (\$1,000,000.00), for the purpose of expanding of the existing Four Corners Park. The City's purchase price, due diligence, purchase services, demolition and site development costs shall be paid from Park Opportunity Bond Fund 2005A: Fund : 3129, Dept, : 140106, Park Design Account; 5411001 Land, Function Activity: 100247 Park Areas, Funding Source: 21230 2005 A Park Improvement Bond 9999, PTAE0, Project: 14100247, TASK : 101, Award: 312921230, Expense Type: 5411001, Organization: City of Atlanta; and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO NEGOTIATE FOR AND PURCHASE APPROXIMATELY 4.08 ACRES

08-O-1432 (4) An Ordinance by Finance and Executive Committee authorizing the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and purchase approximately 4.08 acres located at 830 Willoughby Way ("The Cox Communications Property"), from the Trust for Public Land ("TPL"), in an amount not to exceed six million four hundred thousand dollars (\$6,400,000.00), for the purpose of expanding the proposed North Avenue Park adjacent to the proposed Beltline. The City's purchase price, due diligence and purchase services shall be paid from Park Opportunity Bond Fund 2005A: Fund: 3129, Dept, : 140106, Park Design Account: 5411001 Land, Function Activity : 100247 Park Areas, Funding Source: 21230 2005 A Park Improvement Bond 9999, PTAE0, Project : 14100247, TASK: 101, Award: 312921230, Expense Type: 5411001, Organization: City of Atlanta; and for other purposes.

FAVORABLE ON FIRST READ

REGULAR AGENDA

TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

- 08-O-1298 (1) A **Substituted** Ordinance by Finance/Executive Committee authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, to authorize the Chief Financial Officer to remit payment for all outstanding invoices through January 31, 2008, to Scriptlogic Corporation, in an amount not to exceed one hundred thirty-eight thousand, six hundred ninety-one dollars and forty-five cents (\$138,691.45), for Client/Server Maintenance and Security Software Licenses to be charged to and paid from FDOA Number 1001 (General Fund) 050211 (IT Network Management) 52130001 (Consulting and Professional Services) 1535000 (Data Processing/Management Information System), to ratify the prior provision of Client/Server Maintenance and Security Software Licenses and to authorize the Mayor to execute appropriate Contractual Agreements with Scriptlogic Corporation, for Client/Server Maintenance and Security Software Licenses, on behalf of the Department of Information Technology; and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA Number, 7/16/08)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute.

Mr. Mark Campbell: Deputy Chief Information Officer addressed the Committee by stating that this is for the City's PC's and hardware. The Substitute corrects the Account Numbers. Councilmember Hall asked what will it fix. Mr. Campbell responded that this software allows service to PC's from this location. It will replace the computer associates. Chairperson Shook offered a motion to **Approve on Substitute, 5 Yeas.**

TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE SOURCE SELECTION PROVISIONS

- 08-O-1299 (2) An Ordinance by Finance/Executive Committee authorizing the City of Atlanta to waive the source selection provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, to authorize the Chief Financial Officer to remit payment for all outstanding invoices through December 28, 2008, to CXTEC in an amount not to exceed twenty-nine thousand dollars and no cents (\$29,000.00) for Cisco SSL Compression Hardware purchased pursuant to GSA Contract Number GS-35F-0315N to be charged to and paid from FDOA Number 1001 (General Fund) 050101 (IT Administration) 5311001 (Supplies, Consumable) 1535000 (Data Processing/Management Information Systems) to ratify the prior provision of goods to the City by CXTEC; and for other purposes. **(Finance/Executive Committee corrects the FDOA Numbers, 7/16/08)**

Chairperson Shook stated that we have a Substitute.

Mr. Campbell stated that this is for two switches in support of the Oracle Project. The Substitute corrects the FDOA. Councilmember Maddox offered a motion to **Approve on Substitute, 5 Yeas.**

TO AUTHORIZE THE WAIVER OF THE COMPETITIVE PROCUREMENT PROVISIONS

08-O-1300 (3) An Ordinance by Finance/Executive Committee authorizing the waiver of the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta to authorize the Chief Financial Officer to remit payment for an invoice in an amount not to exceed \$45,782.80, to Air-Transport IT Services, Inc. for work to develop and modify the interface between Propworks and the Citywide Oracle Financial System; all contracted work to be charged to and paid from PTAE0: 18101173 (Management Information System) 101 (Task) 550291249 (DOA R N E 9999) 5212001 (Consulting & Professional Services) and FDA: 5502 (Airport Renewal and Extension Fund) 180201 (DOA Aviation Capital Planning & Development) 5212001 (Consulting & Professional Services) 7563000 (Airport) 101173 (Management Information System) 91249 (DOA R N E 9999) 0000 (Default) 00000000 (Default) 00000000 (Default).

FILE

Councilmember Hall offered a motion to **File, 4 Yeas.**

TO RATIFY AND EXTEND AN EXPIRED CONTRACT, FC-6004007803A

08-O-1351 (4) A **Substitute** Ordinance by Finance/Executive Committee to ratify and extend an expired contract, FC-6004007803A. Annual Contract for Small Water Meters Back Flow Prevention Devices, between City of Atlanta and Kemi Construction Company, Inc., for the purpose of securing continued services for a temporary period of time until such time as services are re-procured; to waive portions of the Article X of the City's Real Estate and Procurement Code; and for other purposes.

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we will go into Executive Session.

Mr. Roger Bhandari: Senior Assistant City Attorney addressed the Committee by stating that we need to bring the Substitute forward and go into Executive Session. The Committee went into Executive Session at 1:32 p.m. The meeting reconvened at 2:00 p.m. Chairperson Shook stated that there were housekeeping changes. He then offered a motion to **Approve on Substitute, 6 Yeas.**

TO RATIFY AND EXTEND AN EXPIRED CONTRACT, FC-6004007803B

08-O-1352 (5) A **Substitute** Ordinance by Finance/Executive Committee to ratify and extend an expired Contract, FC-6004007803B, Annual Contract for Small Water Meters with Back Flow Prevention Devices, between City of Atlanta and Shaheed Construction Company, Inc., for the purpose of securing continued Services for a temporary period of time until such time as Services are re-procured; to waive portions of Article X of the City's Real Estate and Procurement Code; and for other purposes.

FAVORABLE ON SUBSTITUTE

Chairperson Shook offered a motion to **Approve on Substitute, 6 Yeas.**

TO AMEND THE FY 2009 BUDGET SO AS TO ADD TO THE BUDGET, FUNDING OF THE JUDICIAL AGENCIES

08-O-1446 (6) An Ordinance by Councilmember C.T. Martin to amend the FY 2009 Budget so as to add to the Budget, Funding of the Judicial Agencies in the amount of \$_____; to reduce the Adopted Budget by said amount; and for other purposes.

HELD

Chairperson Shook asked the Acting CFO if he is aware of a Substitute. Mr. Stokes responded that he spoke with Councilmember Martin and does not have a Substitute.

TO AMEND CHAPTER 114, PERSONNEL, ARTICLE IV, CIVIL SERVICE OF THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA

08-O-1455 (7) An **Amended** Ordinance by Councilmembers Felicia A. Moore, Joyce M. Sheperd Anne Fauver, H. Lamar Willis, Howard Shook, Mary Norwood, Ceasar C. Mitchell, Jim Maddox, Clair Muller, Natalyn Archibong, Clair Muller and Kwanza Hall to amend Chapter 114, Personnel, Article IV, Civil Service of the Code of Ordinances, City of Atlanta, Georgia, so as to restore City Council oversight of City Personnel Actions; and for other purposes. **(Finance/Executive Committee Amendment adds to Section 114-103 of instead of the report coming to the Department of Finance, it would go to the COO, 7/16/08)**

FAVORABLE AS AMENDED

Councilmember Moore stated that we went back and re-reviewed our authority and we did not make changes in other parts of the Sessions regarding the Compensation Committee, etc. Mr. Stokes stated that there is a comparison in the Substitute package. Chairperson Shook stated that we don't need a lot of time with going through all of it.

Ms. Benita Ransom: Commissioner of the Department of Human Resources addressed the Committee by stating that the new Personnel Code changes have been in place over a year. We have taken the information and included it in the revised changes. Those changes were best practices. We believe the changes before you provide for a more civil service system. We went in and changed the salary structure. The Department Heads allow staff to put in policies to meet their business needs. Under the current Code, Council has the authority to establish the administrative parameters of a workforce level. The budget allocation has always been there. We have asked for the permission to hire up to the mid-point. Anything beyond it has to come back to City Council. Council still focuses on the EEO, Civil Service, Classification, Pay Plan, Promotions, etc. The Code gives the sufficiency of the operating Department. Creations and Abolishments still have to come to Council. Survey shows that the comparable Cities selected are Gwinett County, who has the authority, DeKalb County and Fulton County has an elected Board as well as Phoenix. She requests that the Code remain as it is. Councilmember Moore stated that this paper is going back to the way it was before we made the changes. Page #6 is very instructive and explains why the paper is here. The main reason we are doing this is for detailed oversight. The only difference in changes in the pay code is that previous recommendations should be given to the Civil Service Board and the Council. If the Department of Human Resources wants to continue with it she has no problem putting the language back. Commissioner Ransom responded that it is okay to leave it out. If you look at the survey data, administrative transactions are not normally handled by the Legislative Branch because it will slow down the process. Councilmember Moore stated that Code Section 114-187, Subsection C reads any language to the pay grade, etc. It means that before the Personnel Paper would be adopted, Council would approve it.

Ms. Sherry Dickerson: of the Department of Human Resources addressed the Committee by stating that currently the Pay and Class Plan cannot be changed before it comes to Council. The only change is to bring in the justification. Councilmember Moore stated that the current Code says... The amendment of the Pay Plan should be approved by Ordinance. Ms. Dickerson responded that Class Abolishments and Creations already come to you. We were trying to take process out of the Code. Councilmember Moore stated that she is putting it back in. The last column of the wording is being added to the Committee of Finance of Council. Ms. Dickerson responded that the Commissioner has to recommend the appropriate amendment. The Civil Service Board had a role in the administration of the plan. Councilmember Moore stated there was not a problem with taking it out. There was no recommendation from the Board anyway. Ms. Dickerson asked if we should send a communication. Chairperson Shook asked what are we better off doing. Councilmember Moore stated that go back to the original language. Ms. Dickerson asked if we could change it to the COO instead of the Civil Service Board. Councilmember Moore asked Mr. Stokes to look at the comparison. She has no problem with taking it to the COO. Ms. Dickerson responded that this Section is where a Department decides the job function other than the job title. It allows the Commissioner to do a desk audit to determine if the job is in alignment with the title. Councilmember Moore stated that Council would make the final decision. Ms. Dickerson responded that this Section is more administrative. Councilmember Moore stated that this is what we used to approve. Commissioner Ransom responded that if it is budget neutral, why not let the Department Head decide. Chairperson Shook stated that it was the way things were done anyway. A lot of this is convenience. With Oracle it will be a whole lot better than the old days. Ms. Dickerson responded that the legislative process can be burdensome. Chairperson Shook stated that we thought we were in better shape and we weren't. Ms. Dickerson responded that when we made the Code changes, it was budget neutral. Councilmember Moore stated that the reality is that unless we are keeping up with it we don't know. It is not how much is being spent, but how it is spent. It could change the amount of resources. Ms. Dickerson responded if they are doing it a different way it is administrative, not legislative. We have brought all of the actions taking place to Council. Councilmember Moore stated that she has a different perspective. She wants the oversight that we had before. Councilmember Winslow asked when HR has come to us and said that we can't find anyone for a position, what is the rationale. Is it that the person will not accept a certain amount or you can get someone else, but they don't have as much experience? Ms. Dickerson responded that we would have to make some negotiations. Councilmember Winslow asked if we are now trying to pay corporate dollars. Ms. Dickerson responded that market makes us competitive to compete for talent. We want to pay a competitive salary. The ability to hire beyond has increased. The area has changed to some degree. Councilmember Winslow asked how it was done previously. Ms. Dickerson responded that the people we hire come in at entry unless you have special skills. Councilmember Moore stated that Section 106 C is putting back the language of coming to Finance and being approved by Ordinance. Ms. Dickerson responded that we recommended that it be forwarded to the Finance Department for budgetary implications. Councilmember Moore stated that it says that it would come to Finance/Executive Committee. We are saying that all of them would come to one place. Ms. Dickerson responded that it provides for certain exceptions. The language being removed is where the Mayor has to come to you to hire her staff above authorization. The Council President and Councilmembers use the pay grade for hiring staff. Councilmember Moore stated that it used to be that they were put in the Classified Service. She then offered a motion to Approve as Amended stating that **Section 114-103 instead of it coming to the Department of Finance, we prefer it to go to the COO, 6 Yeas.** Ms. Dickerson responded that we could take it out. Councilmember Moore offered a motion to **Approve as Amended, 6 Yeas.**

TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA

08-O-0829 (8)

An Ordinance by Howard Shook to amend the Charter of the City of Atlanta, Georgia adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A, Section 36-35-

1. Et Seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 GA. Laws P. 4469, Et Seq., by amending Article 2, Chapter 3, Section 2-302© so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in an increase in taxes, fees, or bond indebtedness; and for other purposes. **(Referred back by Full Council, 7/7/08)**

HELD

Chairperson Shook stated that this is a Charter change. Mr. Stokes stated that it can be Held and advertised before it is adopted.

TO AMEND CHAPTER TWO, ARTICLE VI, DIVISION 2, SUBDIVISION II, SECTION 2-351

08-O-0830 (9) An Ordinance by Howard Shook to amend Chapter Two, Article VI, Division 2, Subdivision II, Section 2-351 (Entitled, "Authorization to Issue Commercial Paper.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in an increase in Bond Indebtedness; and for other purposes. **(Referred back by Full Council, 7/7/08)**

HELD

TO AMEND CHAPTER 146, DIVISION 1, ARTICLE II, SECTION 146-26

08-O-0831 (10) An Ordinance by Howard Shook to Amend Chapter 146, Division 1, Article II, Section 146-26 (Entitled, "Levy."), Chapter 146, Article II, Section 146-79 (Entitled, "Levied.") and Chapter 146, Article IV, Section 146-113 (Entitled, "Excise Tax Levied; Collection.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in an increase in taxes; and for other purposes. **(Referred back by Full Council, 7/7/08)**

HELD

TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION 1, SECTION 2-69

08-O-0833 (11) An Ordinance by Howard Shook to amend Chapter Two, Article II, Division 2, Subdivision I, Section 2-69 (Entitled, "Quorum; Vote Required for Passage of Legislation.") and Chapter Two, Article II, Division 2, Subdivision II, Section 2-96C (Entitled, "Presence at Meetings; Voting on Questions.") of the Code of Ordinances of the City of Atlanta, so as to require an Affirmative Vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in new fees and taxes or an increase in existing taxes, fees, or bond indebtedness; and for other purposes. **(Referred back by Full Council, 7/7/08)**

HELD

TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION II, SECTION 2-105

- 08-O-0834 (12) An Ordinance by Councilmember Howard Shook as amended by Finance /Executive Committee to amend Chapter Two, Article II, Division 2, Subdivision II, Section 2-105 (Entitled, "Establishment or Change in Fees for Service; Notice to Public.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in new fees and an increase in fees; and for other purposes. **(Referred back by Full Council, 7/7/08)**

HELD

TO APPOINT DONALD T. PENOVI, CPA, TO THE CITY OF ATLANTA AUDIT COMMITTEE

- 08-R-1360 (1) A Resolution by Committee on Council to appoint Donald T. Penovi, CPA, to the City of Atlanta Audit Committee as one of the three At-Large Members appointed by the entire City Council, said term to begin upon the approval of this Resolution; and for other purposes. **(Referred to Finance/Executive Committee by Committee on Council 1/07/08)**

FAVORABLE

Mr. Donald T. Penovi: addressed the Committee by stating that he started with Ernest and Company and worked there three years and has three years with Coca Cola. Councilmember Moore offered a motion to **Approve, 5 Yeas**. She then stated that he has been on the Committee for a year and a half.

TO DIRECT THE CHIEF FINANCIAL OFFICER AND CITY ATTORNEY TO CONDUCTAN IN-DEPTH FEASIBILITY STUDY

- 08-R-1451 (2) A Resolution by Councilmember Jim Maddox directing the Chief Financial Officer and City Attorney to conduct an in-depth Feasibility Study of the introduction of fees for Services provided by the City of Atlanta at sports venue in the City; and for other purposes.

FAVORABLE

Councilmember Maddox stated that he wanted to establish a Taskforce. It should consist of the various venues to assist the City with something that is workable. The goose laying the golden egg is ill. He wants to expand it to other areas as well. He has contacted some of the venues. Chairperson Shook stated that in Briefing we were not sure of trade shows. We wondered if it was included and it is not clear the way it is written. Councilmember Maddox stated that he meant for it to be professional sports venues. He wants it worded properly to accomplish what he wants. Chairperson Shook stated that he thinks that it means that the City is compensated for the services by patrons of the City. The Taskforce should include the CFO and City Attorney. Chairperson Shook stated that at the end of the year you will be sitting next to someone else. Councilmember Maddox stated that Law should be involved along with whoever the CFO is. Chairperson Shook asked for clarifying language.

Ms. Serena Sparks: Deputy City Attorney addressed the Committee by stating that we will work with the legislation as it is. The City Attorney and CFO will not be solely involved with the Study. Councilmember Maddox wants representatives involved that

will be affected. Deputy City Attorney Sparks responded that we will extend the invitation. Councilmember Maddox offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH 911 DIRECT, INC.

08-R-1458 (3) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an appropriate Contractual Agreement with 911 Direct, Inc. pursuant to Chapter 2, Article X, Division 4, Section 2-1191.1 of the Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, for the purchase of fifty-six (56) 911 dispatcher consoles for the enhanced 911 Center, in an amount not to exceed \$935,000.00; all expenses shall be paid from proceeds of the Lease/Purchase Agreement between the City of Atlanta and Wachovia Bank; and for other purposes.

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute.

Ms. Simone Braithwaite: Senior Assistant City Attorney addressed the Committee by stating that these are especially designed for people sitting at the consoles for a long period of time. Councilmember Winslow asked if they are new. Senior Assistant City Attorney Braithwaite responded yes, it will put them in full operation. Councilmember Winslow offered a motion to **Approve on Substitute, 6 Yeas.** Councilmember Hall asked if they are different from other consoles. Are they comfortable? Councilmember Winslow responded that they are working together as a channel with Fulton County. It is different from the regular ones.

TO AUTHORIZE THE MAYOR TO EXECUTE A MASTER AGREEMENT WITH TDC SYSTEMS INTEGRATION, INC.

06-R-1667 (1) An **Amended** Resolution by Finance/Executive Committee Authorizing the Mayor to execute a Master Agreement with TDC Systems Integration, Inc. for FC-6006007881, Citywide On-Call Services for Information Technology Staffing; authorizing the Chief Information Officer of the Department of Information Technology, the Director of Information Technology of the Department of Watershed Management and the Aviation Information Systems Director of the Department of Aviation to execute all statements of work; all contracted work shall be Charged To and Paid From Various Fund, Account and Center Numbers; and for other purposes. **(Amended and Held, 8/16/06 at the request of the Committee to allow time pending additional review)**

HELD

TO AMEND THE PROCUREMENT CODE OF THE CITY OF ATLANTA, GEORGIA

07-O-0138 (2) An Ordinance by Councilmember Ceasar C. Mitchell to Amend the Procurement Code of the City of Atlanta, Georgia by Adding to Section 2-1142; monthly report to City Council; and for other purposes. **(Held, 1/31/07 at the request of the Department of Procurement for an additional study)**

HELD

TO PROVIDE FOR THE ANNEXATION OF 4605 BIRDIE LANE, SW, ATLANTA, GEORGIA, 30331

- 07-O-0623 (3) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of 4605 Birdie Lane, SW, Atlanta, Georgia, 30331, 0.404 acres of land located in Land Lot 61 of the 14th District of Fulton County to the corporate limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such Annexation; and for other purposes. **(Held, 3/28/07 to ensure annexation procedures are executed appropriately)**

HELD

TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS CASCADE FALLS SUBDIVISION

- 07-O-0624 (4) An Ordinance by Councilmember James Maddox to provide for the Annexation of land known as Cascade Falls Subdivision to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 3/28/07 pending review to determine additional properties contiguous to the City are identified and included in the annexation)**

FILE

Chairperson Shook offered a motion to **File, 6 Yeas.**

TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE ORKNEY/LANARK DRIVE COMMUNITY

- 07-O-0968 (5) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Orkney/Lanark Drive Community to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 5/16/07 due to State requirement)**

HELD

TO AMEND ARTICLE V. CLASSIFICATION PLAN, OF THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA

- 07-O-0974 (6) An Ordinance by Councilmember C.T. Martin **as Substituted by Finance/Executive Committee** to Amend Article V. Classification Plan, of the Code of Ordinances, City of Atlanta, Georgia, so as to create (215) positions in the Atlanta Police Department; and for other purposes. **(Substituted and Held, 5/16/07 in conjunction with consideration of 2008 Budget)**

HELD

TO ALLOW THE CITY TO IMPOSE A VERIFICATION/CONVENIENCE FEE IN THE AMOUNT OF \$4.50

- 07-O-1087 (7) A **Substitute** Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to allow the City to impose a verification/convenience fee in the amount of \$4.50 on credit cards users, on-line payment users, electronic check users, or

interactive voice response users submitting payments for fees and/or fines imposed by the City of Atlanta such as those associated with traffic enforcement and Water and Wastewater City Services; to recover the cost the City pays to third-party vendors to process such payments; all collected funds will be deposited into various Fund, Account and Center Numbers; and for other purposes. **(Referred back to Finance/Executive Committee by Council, August 20, 2007); (Held, 8/29/07)**

HELD

TO ENCOURAGE MEMBERS OF THE UNITED STATES CONGRESS TO SUPPORT THE EMPLOYEE FREE CHOICE ACT

07-R-1904 (8) A Resolution by Councilmember Joyce M. Sheperd that encourages Members of the United States Congress to support the Employee Free Choice Act which authorizes the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them. **(Held, 9/12/07 at the request of the Committee to discuss with the Author)**

HELD

TO SUPPORT H.R. 2447

07-R-2138 (9) A Resolution by Councilmember Ceasar C. Mitchell to support H.R. 2447 to establish an Energy and Environment Block Grant Program that is presently before the United States Congress; and for other purposes. **(Held, 10/10/07)**

HELD

TO ENDORSE H4 3535 HOMEBUYER'S PROTECTION ACT OF 2007

07-R-2139 (10) A Resolution by Councilmember Ceasar C. Mitchell to endorse HR 3535 Homebuyer's Protection Act of 2007 pending in the United States Congress; to urge the Georgia Congressional Delegation to support the Act; and for other purposes. **(Held, 10/10/07)**

HELD

TO CREATE A NEW SECTION 2-46.1

08-O-0085 (11) An Ordinance by Councilmembers Felicia A. Moore, C.T. Martin, Mary Norwood, Jim Maddox, Ivory Lee Young, Jr., Ceasar C. Mitchell, Joyce M. Sheperd and Natalyn Archibong to create a new Section 2-46.1 entitled "Authorization Required by City Council for Requested Local Government Approval and/or Letters of Support"; and for other purposes. **(Held, 1/16/08)**

HELD

TO RESCIND ORDINANCE 07-O-2410

08-O-0295 (12) An Ordinance by Councilmembers H. Lamar Willis, Anne Fauver, Felicia A. Moore, Natalyn Archibong and Ivory Lee Young, Jr. to rescind Ordinance 07-O-2410; and for other purposes. **(Held, 2/13/08)**

HELD**A TWELFTH SUPPLEMENTAL BOND ORDINANCE**

- 08-O-0299 (13) An Ordinance by Councilmember Howard Shook a Twelfth Supplemental Bond Ordinance supplementing the restated and amended Master Bond Ordinance of the City of Atlanta adopted on March 20, 2000, as previously amended and supplemented, to authorize the issuance by the City of Atlanta of its variable rate Airport General Revenue Refunding Bonds, Series 2008A, in one or more Series, in an aggregate principal amount of not to exceed \$550,000,000, each to bear interest in a variable rate mode; to refund all or a portion of the City's variable rate Airport General Revenue Refunding Bonds, Series 2003RF-B and Series 2003RF-C; to provide for a reasonably required Debt Service Reserve; to provide for the rights of the holders of said Bonds; to make certain other covenants and agreements in connection with the issuance of such Bonds; to provide certain terms and details of said Bonds, including authorizing delegated negotiated sales of said Bonds; to provide for the execution of certain agreements relating to one or more credit and/or liquidity facilities with respect to the Series 2008A Bonds; to pay expenses relating thereto; to authorize the preparation, use and distribution of one or more preliminary and final official statements in connection with the offer and sale of the Series 2008A Bonds; to provide for the annual submission of certain financial information and operating data pursuant to Rule 15C2-12 of the Securities and Exchange Commission; to designate one or more Underwriters and Remarketing Agents, and a Tender and Paying Agent and to approve forms of various other agreements in connection with the Issuance of said Bonds; providing for incidental action; providing for severability; to provide and effective date; and for other related purposes. **(Held, 2/13/08)**

HELD**TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO PURCHASE PROPERTY LOCATED AT 207/211 VINE STREET**

- 08-O-0402 (14) An Ordinance by Finance/Executive Committee authorizing the Chief Procurement Officer to purchase property located at 207/211 Vine Street and 601/605 Spencer Street, Atlanta, Georgia 30314; to provide for the appraisal of the property; to obtain title reports; to negotiate the purchase price of the property; to authorize the use of legal proceedings if necessary to obtain the property; to accept funds in the amount of \$725,000.00 from the Atlanta Development Authority to be applied towards the purchase of the property; and for other purposes. **(Held, 3/12/08)**

HELD**TO AUTHORIZE THE MAYOR TO ENTER INTO AN APPROPRIATE LEASE/PURCHASE AGREEMENT**

- 08-R-0405 (15) A Resolution **as Substituted** by Finance/Executive Committee authorizing the Mayor to enter into an Appropriate Lease/Purchase Agreement with Wachovia Bank for furniture, fixtures and equipment for the Public Safety Annex of the Public

Safety Facilities Project, in an amount not to exceed \$7,000,000 (seven million dollars) at a rate of 3.97%; payments to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 200867 (NDP 2006 Public Safety Facility) 6110999 (Sinking Fund Requirement) 8000000 (Debt Service); and for other purposes. **(Held, 2/27/08); (Held and Substituted, 3/12/08); (Finance/Executive Committee Substitute adds the FDOA Numbers, 7/16/08)**

FAVORABLE ON SUBSTITUTE

Mr. Peter Andrews: Senior Assistant City Attorney addressed the Committee by stating that we have a Resolution that takes up the Agreement. Councilmember Hall offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH FULTON COUNTY DISTRICT ATTORNEY

08-R-0510 (16) A Resolution by Councilmembers Howard Shook and Cleta Winslow authorizing the Mayor to enter into an Intergovernmental Agreement with the Fulton County District Attorney for a period of three years in an amount not to exceed twenty six thousand dollars and no cents (\$26,000.00) per month for services for the City of Atlanta under for Consultation and Support Services to Victims and Witnesses of Crime; all contracted work to be Charged and and Paid From Fund, Account and Center Number 3P01 (Agency Fund) 264017 (Muni Court VW ASST PRG (MCVW) A00001 (Balance Sheet Center); and for other purposes. **(Held, 3/12/08)**

HELD

TO AMEND CHAPTER 114, ARTICLE VI, DIVISION 4, OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA

08-O-0632 (17) An Ordinance by Finance/Executive Committee amending Chapter 114, Article VI, Division 4, of the Code of Ordinances of the City of Atlanta, Georgia entitled "Substance Abuse Policy" as it pertains to sworn employees of the Departments of Police, Fire and Rescue, Corrections, as well as all other employees of the various departments of the City of Atlanta who hold positions designated by the Commissioner of the Department of Human Resources as being safety-sensitive; to authorize the Commissioner of the Department of Human Resources to designate certain employment classifications as being safety-sensitive in accordance with applicable law, rules, and regulations, for the purpose of random drug testing; and for other purposes. **(Held, 5/14/08)**

FAVORABLE

Councilmember Moore asked if we have the funds allocated. Ms. Dickerson responded that they are allocated. Councilmember Moore stated that there were objections made by the Fire Union. Ms. Dickerson responded that it was for the alcohol screening. They wanted the tolerance level to be more than .01. We could not make it 0. Other jurisdictions have up to .04 down to .01. Councilmember Moore wants to know what other jurisdictions use. It should be at the least level. Ms. Dickerson responded that is why we set it at .01. The process is that you are given a breathalyzer. It is then done by a blood test, which is the determining factor. There may be alcohol from the night before. Councilmember Moore stated that she will abstain until we find out further

information. Acting CFO Zies asked how much is the contract and they should work with the Budget Office. Councilmember Winslow asked if the Departments are asking for this. Ms. Dickerson responded yes. Chairperson Shook offered a motion to **Approve, 5 Yeas, 1 Abstention.**

TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

08-O-0634 (18) An Ordinance by Finance/Executive Committee authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta, to authorize the Chief Financial Officer to remit payment for outstanding invoices through December 31, 2007 to Cognos Corporation for Software, Services and Support, in an amount not to exceed \$927,771.63, to be charged to and paid from FDOA Number 1001. (General Fund) 200301. (NDP Unallocated Citywide Employee Expenses) 5212001. (Consulting/ Professional Services) 1540000. (Human Resources); to authorize the Mayor to execute appropriate Contractual Agreements with Cognos Corporation, for Consulting, License Maintenance and Training Services, on behalf of the Department of Finance, in an amount not to exceed \$439,200.00, to be charged to and paid from FDOA 3503. (Capital Finance Fund) 200300. (Non-Allocated Fund Expenses) 5999999. (Projects and Grants Budget-Summary) 153500. (Data Processing/ Management) 110013. (Cognos Budget Development) 91226 (GMA Loan 9999); and for other purposes. **(Held and Amended, 4/30/08)**

HELD

Chairperson Shook stated that we requested that the compliance people do an inquiry of the paper trail. Mr. Zies responded that the Compliance Officer stated that they are a few weeks from wrapping up the investigation.

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ENGAGE ON BEHALF OF THE CITY OF ATLANTA

08-O-0736 (19) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to engage on behalf of the City of Atlanta to establish and implement a Cost Neutral Deferred Retirement Option Retirement Plan as an additional benefit for the members of the City of Atlanta Firefighter's Pension Fund and the City of Atlanta Police Officers Pension Fund; and for other purposes. **(Held, 5/14/08)**

HELD

TO AMEND ARTICLE IX, SECTION 2-912 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA

08-O-0821 (20) An Ordinance by Councilmembers Felicia A. Moore, Cleta Winslow, Anne Fauver, Ceasar C. Mitchell, H. Lamar Willis, Mary Norwood, Natalyn Archibong, Joyce M. Sheperd, Ivory Lee Young, Clair Muller and Kwanza Hall to amend Article IX, Section 2-912 of the Code of Ordinances of the City of Atlanta, Georgia (Entitled "Procedures for Making Payments by City") to establish a procedure for making payments in violation of the Procurement Code. **(Held, 4/30/08)**

HELD

TO PROVIDE FOR THE ISSUANCE AND SALE OF TAX ALLOCATION BONDS (PERRY BOLTON PROJECT)

08-O-0822 (21) An Ordinance by Councilmember Felicia A. Moore to provide for the Issuance and Sale of Tax Allocation Bonds (Perry Bolton Project), Series 2008, in the aggregate principal amount not to exceed \$1_____ (the "Series 2008 Bonds"), to pay, or to be applied or contributed toward, the payment of redevelopment costs associated with the Projects identified on Schedule 1 hereto (the "2008 Projects"); to authorize paying expenses incident to accomplishing the foregoing; to authorize the execution of a Indenture of Trust, a Bond Placement Agreement, Separate Development Agreements with the developers of each of the 2008 Projects and approving the use and distribution of a Preliminary Limited Offering Memorandum and Final Limited Offering Memorandum; to clarify the intent of the initial Resolution (as defined herein) with respect to the termination of the Perry Bolton TAD (as defined herein) and for certain other purposes, all in connection with the Issuance and Sale of the foregoing described Series 2008 Bonds. **(Held, 4/30/08)**

HELD

TO AUTHORIZE THE FINANCE/EXECUTIVE COMMITTEE TO CONDUCT A HEARING ON THE AGREEMENTS BETWEEN COGNOS CORPORATION AND THE CITY OF ATLANTA

08-R-1122 (22) A Resolution by Councilmembers Felicia A. Moore, Howard Shook, Cleta Winslow, Clair Muller, Kwanza Hall and Jim Maddox authorizing the Finance/Executive Committee to conduct a hearing on the Agreements between Cognos Corporation and the City of Atlanta; and for other purposes. **(Held, 5/28/08)**

HELD

TO AUTHORIZE THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 7 FOR FC-6004007863

08-O-1156 (23) An Ordinance by City Utilities Committee authorizing the Mayor to enter into Amendment Agreement No. 7 for FC-6004007863, Customer Information and Billing System and Off-Site Billing Services, with Systems and Software, Inc. ("S&S") for the implementation of the Customer Relationship Management (CRM) additional equipment, training, licenses and support on behalf of the Department of Watershed Management to increase funding in an amount not to exceed five million five hundred thirty-seven thousand forty-three dollars and no cents (\$5,537,043.00), and to waive Article X of the City of Atlanta's Procurement Code to extend the term of contract for an additional eighteen (18) months; all contracted work shall be Charged To and Paid From 5052 (Water & Wastewater Renewal) 170502 (DWM Watershed Call Center) 521201 (Consulting/Professional 1590000 (Customer Service) - \$4,533,283.00, 5052 (Water & Wastewater Renewal) 170502 (DWM Watershed Call Center) 5222999 (Service/Repair/Maintenance/Contract) 1590000 (Customer Service) \$443,760.00 and 5051 (Water and Wastewater Revenue Fund) 170304 (DWM Watershed Information) 5212001 (Consulting/Professional Services) 15300 (Data Processing

Management Information/Additional Licenses) - \$560,000.00; and for other purposes. **(Held, 7/2/08)**

FAVORABLE

Ms. Sheila Pierce: Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that this paper will extend the contract by 18 months, authorize additional licenses and provide a new system. Chairperson Shook offered a motion to **Approve, 6 Yeas.**

TO REQUIRE NOTICE IN CITY CONTRACTS REGARDING THE REQUIREMENTS FOR LEGISLATIVE AUTHORIZATION

08-R-1233 (24) An Ordinance by Councilmembers Felicia Moore, Carla Smith, Joyce Sheperd, H. Lamar Willis, C.T. Martin, Natalyn Archibong, Ivory Lee Young, Jr., Ceasar C. Mitchell, Howard Shook, Clair Muller and Kwanza Hall to require notice in City Contracts regarding the requirements for Legislative Authorization in advance of rendering services of demand for payment; and for other purposes. **(Held 6/11/08 at the request of the Committee to allow Law Department to provide additional information.)**

HELD

TO AMEND THE ATLANTA TREE PROTECTION ORDINANCE, CODE SECTION 158-66 (A)

08-O-1260 (25) An Ordinance by Councilmembers Natalyn Archibong and Carla Smith amending the Atlanta Tree Protection Ordinance, Code Section 158-66 (a), to allow for Tree Trust Fund dollars that are earmarked for education in any given year and unused, to be utilized for education in future years; to authorize that a new account be created and entitled Tree Trust Fund Education Fees; and to authorize that such education fees be deposited into said Account, whose number shall be Project 25210242 (Education Outreach/Tree Removal, Award 100191794 (Tree Recompense), Task 101 (Education Outreach), Funding Source 91794; and for other purposes. **(Held, 7/2/08); (Finance/Executive Committee Substitute changes the salary of the Analyst and corrects the FDOA Numbers, 7/16/08)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute.

Councilmember Natalyn Archibong: addressed the Committee by stating that she wants the Committee to approve this paper. It allows for the money earmarked for educational purposes to be rolled over instead of going back into the Recompense Fund. The problem with Oracle is accessing the money for this year. It is 5% of the Tree Trust Fund or no greater than \$100,000. This Ordinance is needed to address the challenges. There is another provision to allow educational dollars to be identified. We want to have the ability to pay for the Commissioner's Administrative Analyst position up to \$60,000. It should not be paid from the Educational Account, but paid from the Tree Trust Fund if it is more than \$60,000.00. Educating the general public is very important and we need the ability to have the outreach available. It will help with the Tree Canopy. The money will be determined by the Tree Commission Board. Councilmember Maddox asked what point is Council involved in it. Councilmember Archibong stated that Council will not be directing the Program. It is the allocation of money, but not the need for the Educational Program. Councilmember Maddox stated

that the Commission should give a quarterly report. Councilmember Archibong stated that it is in there. Councilmember Maddox asked the Acting CFO if he had an opportunity to review it. Mr. Zies asked if it is a new position or current position.

Ms. Robin Shahar: Senior Assistant City Attorney addressed the Committee by stating that it is an existing position and has been paid out of the Educational dollars. Up to \$60,000 will come out of the Tree Trust and anything above that would come out of the Educational money. Councilmember Maddox offered a motion to **Approve on Substitute, 5 Yeas**. Chairperson Shook asked for an example of problems this change will overcome.

Mr. White: of the Tree Commission addressed the Committee by stating that we need a certain amount of dollars every year. We are excited about developing a Master Tree Plan and it will require significant amount of dollars. We have delayed this planning for years. Chairperson Shook asked what does the Substitute do? Senior Assistant City Attorney responded that it changes the salary of the Analyst and corrects the FDOA Numbers.

ITEMS NOT ON AGENDA

TO INCREASE ANTICIPATIONS FOR THE GENERAL FUND FOR FY 2008

08-O-1460 (1) An Ordinance by Finance/Executive Committee increasing Anticipations for the General Fund for FY 2008 based on current revenues and to release the FY 2008 Restricted Reserve; and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ESTABLISH A TRUST FUND ACCOUNT, ON BEHALF OF THE DEPARTMENT OF EXECUTIVE OFFICES

08-R-1461 (1) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to establish a Trust Fund Account, on behalf of the Department of Executive Offices, for the purpose of accepting donations for homeless related outreach efforts and coordination of services within the City of Atlanta; and for other purposes.

FAVORABLE

Chairperson Shook stated that we are going to the private sector for help. This is a manifestation of the budget cuts. He then offered a motion to **Approve, 5 Yeas**.

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 3:30 p.m.

Respectfully submitted,

Ray Zies, Acting CFO

Charlene Parker
Recording Secretary

“The Department of Finance... because customer service is important to us.”